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PATENT COOPERATION TREATY

PCT 10/538194

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference p20270PCAU	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/AU2002/001688	International Filing Date (day/month/year) 13 December 2002	Priority Date (day/month/year) 13 December 2002
International Patent Classification (IPC) or national classification and IPC Int. Cl. 7 E04H 4/16		
Applicant K.K. AUSTRALIA PTY LTD et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheet(s).

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 10 June 2004	Date of completion of the report 19 November 2004
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer JOHN HO Telephone No. (02) 6283 2329

I. Basis of the report

1. With regard to the elements of the international application:*

the international application as originally filed.

the description, pages 1-3, 5-10, as originally filed,
pages , filed with the demand,
pages 4, 4a, received on 20 October 2004 with the letter of 19 October 2004

the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages 11-13, received on 20 October 2004 with the letter of 19 October 2004

the drawings, pages 1/2-2/2, as originally filed,
pages , filed with the demand,
pages , received on with the letter of

the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

the language of publication of the international application (under Rule 48.3(b)).

the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. The amendments have resulted in the cancellation of:

the description, pages

the claims, Nos.

the drawings, sheets/fig.

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-12	YES
	Claims -	NO
Inventive step (IS)	Claims 1-12	YES
	Claims -	NO
Industrial applicability (IA)	Claims 1-12	YES
	Claims -	NO

2. Citations and explanations (Rule 70.7)

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1 – DE 2612043 A
 D2 – US 3959838 A
 D3 – WO 2001/027415 A1
 D4 – US 847060 A
 D5 – US 3979788 A
 D6 – US 3321787 A

The present invention is directed to a rotor assembly for a self propelling pool cleaner having a plurality of vanes wherein the vanes include discreet stiffening members for supporting the vanes against differential pressure. The stiffening members having at least one suction channel for providing fluid communication between adjacent spaces and a deformation face adjacent to the relevant vane. This allows the vane to be drawn to the suction channel and contact the deformation face to seal the suction channel against further fluid communication when differential pressure is applied.

None of the prior art documents discloses this feature.

The closest art, D1, discloses vanes (14) having a stiff base portion. However, there is no disclosure of stiffening members having at least one suction channel for providing fluid communication between adjacent spaces and a deformation face adjacent to the relevant vane. D5 discloses a ring (23) which could be considered to be a stiffening member for vanes (24). Again there are no suction channels on the stiffening member.

Therefore the subject matter of claims 1-12 is new and meets the requirements of Article 33(2) PCT with regard to novelty.

The claimed invention is also not obvious in the light of any of the cited documents nor is it disclosed in any obvious combination of them. It is also considered that it would not be obvious to a person skilled in the art in the light of common general knowledge either by itself or in combination with any of these documents.

The claims are related to products capable of commercial application.